

RESOLUTION NO. 2022-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKLIN APPROVING AMENDMENT NO. 2 TO UTILITY AGREEMENT NO. SPMUD-2021-01 WITH SOUTH PLACER MUNICIPAL UTILITY DISTRICT FOR SEWER IMPROVEMENTS DURING THE CONSTRUCTION OF THE ROCKLIN ROAD AT PACIFIC STREET ROUNDABOUT PROJECT AND AUTHORIZING AN ADDITIONAL BUDGET APPROPRIATION

WHEREAS, the City and SPMUD entered in to a Utility Agreement No. 2021-01 on March 9, 2021, Resolution 2021-34, to replace and relocate the existing sewer infrastructure during the construction of the Rocklin Road at Pacific Street Roundabout Project for an amount not to exceed \$282,400 and on April 20, 2021, Amendment No. 1 updated language within the agreement; and

WHEREAS, on October 21, 2021, Council awarded the contract for the Roundabout Project that included the replacement and relocation of the SPMUD sewer infrastructure in the amount of \$443,665, and when a ten percent construction contingency is added the total amount comes to \$488,032 (rounded) which exceeds the approved amount of \$282,400 in the Utility Agreement with SPMUD; and

WHEREAS, staff is requesting that the existing Utility Agreement with SPMUD be amended to increase the not to exceed amount by \$205,632 (rounded) for a total not to exceed amount of \$488,032; and

WHEREAS an additional budget appropriation is necessary in the amount of \$205,632 (rounded) to reflect the updated not to exceed amount due to the increased construction costs and may necessitate a budget amendment; and

WHEREAS, there will be no fiscal impact to the City as all associated construction work will be reimbursed by SPMUD; and

NOW, THEREFORE, the City Council of the City of Rocklin does resolve as follows:

Section 1. The City Council of the City of Rocklin hereby approves and authorizes the City Manager to execute Amendment No. 2 of the Utility Agreement No. SPMUD-2021-01 with SPMUD in substantially the form attached hereto as Exhibit "A."

Section 2. The City Council authorizes the following additional capital appropriation for the FY 2021/22 Budget in the amount of \$205,632.

PASSED AND ADOPTED this 11TH day of January, 2022, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:
ABSENT: Councilmembers:
ABSTAIN: Councilmembers:

Bill Halldin, Mayor

ATTEST:

Hope Ithurnburn, City Clerk

AMENDMENT NO. 2

TO THE UTILITY AGREEMENT NO. SPMUD-2021-01 WITH SOUTH PLACER MUNICIPAL
UTILITY DISTRICT (SPMUD) FOR SEWER IMPROVEMENTS DURING THE CONSTRUCTION
OF THE ROCKLIN ROAD AT PACIFIC STREET ROUNDABOUT PROJECT EXECUTED
MARCH 9, 2021

THIS AMENDMENT is entered into as of _____, 2022, by and between the City of Rocklin, a municipal corporation ("City"), and South Placer Municipal Utility District (SPMUD), who agree as follows:

RECITALS

WHEREAS, the original agreement was to replace and relocate sewer infrastructure for an amount not to exceed \$282,400; and

WHEREAS, the actual bid cost for the replace and relocation of the sewer infrastructure is \$443,665 and with a 10% contingency the total cost \$488,032 (rounded) ; and

WHEREAS, staff is requesting that the existing agreement be increased by \$205,632 (rounded) for a total not to exceed amount of \$488,032; and

WHEREAS, a budget appropriation in the amount of \$205,632 is necessary and a budget amendment may be necessary, however there is no fiscal impact as the City will be reimbursed by SPMUD.

AGREEMENT

NOW, therefore, the City and Contractor hereby agree to amend the Construction Agreement as follows:

Section 1. The City Council of the City of Rocklin hereby authorizes the City Manager to execute Amendment No. 2 to the Utility Agreement No. SPMUD 2021-01 with South Placer Municipal Utility District for Sewer Improvements During the Construction of the Rocklin Road at Pacific Street Roundabout Project in substantially the form attached hereto as Exhibit "1";

Section 2. Except as set forth in this Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is a conflict between this Amendment and the Agreement, the terms of this Amendment will prevail.

Executed as of the day first above stated:

CITY OF ROCKLIN
A Municipal Corporation

By: _____
Aly Zimmermann, City Manager

Contractor

By: _____

Print Name: _____

Title: _____

By: _____

Print Name: _____

Title: _____

APPROVED AS TO FORM:

Sheri Chapman
City Attorney

ATTEST:

Hope Ithurnburn
City Clerk